

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, April 8, 2002**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members, Borys, Clement, Kreider, Raser, Senhauser, and Spraul-Schmidt present. Members absent: Bloomfield, Sullebarger, and Wallace.

### **CERTIFICATE OF APPROPRIATENESS, 227 WEST NINTH STREET, NINTH STREET HISTORIC DISTRICT**

Urban Conservator William Forwood presented the staff report for a Certificate of Appropriateness to approve glass block infills at 227 West Ninth Street. The glass block was installed without a permit in a window and a door opening on the first floor side elevation along Watts Alley. This building is a contributing building within the Ninth Street Historic District.

A pre-hearing was held on Tuesday, April 2, 2002. Max Hoffmeyer, owner of 225 West Ninth Street, stated that he supported the retention of the glass block and all other work on the property. A letter from a neighboring property owner, Robert E. Manley, supporting the project and glass block was included with the staff report.

The Ninth Street Historic District guidelines state that when door and window replacement is necessary, the unit should match the original as closely as possible. Mr. Forwood said the window and door had been removed when the openings were boarded up some years ago; there is no evidence of their appearance at that time. He added that the new work is not highly visible from Ninth Street.

The architect Joe Brashear, owner Frank Lazarosky, and Robert Manley were present.

[Mr. Kreider joined the meeting]

Mr. Manley, who owns and has resided for the last fifteen years in a building three doors east of the property, stated that this building had always been a problem. He emphasized that the glass block gives the same feel as one would have had originally, but it provides security. He added that he believes that the use of glass block is a useful way to facilitate adaptive reuse and that it is in the best interest of the neighborhood, community and preservation to grant a Certificate of Appropriateness.

Mr. Brashear emphasized that the openings had been boarded up with scrap lumber decades ago when even then there had been a security problem. In response to Mr. Raser, Mr. Brashear stated that the glass block infill was part of a complete renovation, and that all other exterior work was in-kind repair to match.

Mr. Frank Lazarosky stated that he had bought 229 West Ninth Street and moved to downtown three years ago. He pointed out that since the building was going to be used for retail, there would not always be someone there; therefore, security was very important. Mr. Lazarosky said he had considered using brick, but wanted some

natural light; he had dismissed sash windows because of the security and vandalism problem.

The Board noted that the glass block openings face into a 10-foot wide alley, are set back approximately 25 feet from Ninth Street and can only be seen at an oblique angle. It was also noted that there is no indication of the original window and door style and materials even in their previous, deteriorated state. The Board agreed that the greater good would be served by allowing the glass block infill as part of a larger project that preserved and restored the remainder of the building.

#### **BOARD ACTION**

The Board voted unanimously (motion by Raser, second by Clement) to approve a Certificate of Appropriateness for the retention of the glass block for the following reasons:

- 1) That the two modified openings are far back from the primary right of way;
- 2) That the secondary right of way is extremely narrow, therefore a view of the construction is very limited;
- 3) That there is no evidence of original or existing window or door construction and there is no record of that original construction to be found;
- 4) That these two openings are the only departures from an otherwise complete full restoration of the rest of the exterior of the building; and
- 5) The use of glass block in this instance is an overriding interest in the subject property which outweighs the use of an otherwise inappropriate material.

#### **CERTIFICATE OF APPROPRIATENESS, 721 MAIN STREET, MAIN STREET HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report for a Certificate of Appropriateness for the introduction of new window openings in this building at 721 Main Street. The building is a c. 1970 two-story addition on the south side of 729 Main Street, a c. 1890 five-story Italianate style building identified as "compatible" with the historic district.

Ms. Cowden stated that a total of twelve window openings are proposed. Six will be on the Main Street (east) façade to provide natural light to two second floor classrooms. Three openings are proposed for the second story of the south elevation fronting on a parking lot. The remaining three windows will be introduced on the rear (west) of the building, also fronting on a large surface parking lot. All windows are to be of clear anodized aluminum with fixed one-over-one sash. The glass will be clear, with no tint, coloration, or other coating.

Ms. Cowden said that staff would not ordinarily recommend the use of clear anodized aluminum window sash in the Main Street Historic District; however, it will match the finish of the building's existing Main Street storefront and the two entrances on the south elevation.

In response to Mr. Kreider, Ms. Cowden pointed out that staff approved the entrance and secondary fire escape shown in the plans in February of 2002. They are not a

part of the current application. She added that the furniture sign shown at the rear (west) elevation will be removed.

Ryan Ficke, representing the applicant, Paul Hemmer Companies, was available to answer questions from the Board.

There was general concern that the windows lacked continuity with the adjacent shuttered band on 729 Main Street and should relate better to the building as a whole. In response to Mr. Raser, Mr. Ficke said that the windows are 3 ½' x 5 ½' to match the size of the upper floor windows on 729 Main, but acknowledged that the windows had been inaccurately drawn in the Main Street elevation. The Board agreed that the new windows should continue the rhythm of the second floor windows of 729 Main or, alternatively, align with the Donato's entry door. In response to Ms. Borys, Mr. Ficke stated that the new window openings would be trimmed with clear anodized aluminum. It was generally agreed that the openings should be finished with a stucco return to match the wall surface.

### **BOARD ACTION**

The Board voted to accept the staff recommendation (motion by Kreider, second by Raser) to approve a Certificate of Appropriateness for the proposed work on the condition that final construction drawings be submitted to the Urban Conservator for approval prior to construction.

### **PRELIMINARY DESIGN REVIEW, 2964 – 2968 ANNWOOD AVENUE, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report for this preliminary design review of a new single-family residence and showed front elevation, roof, site and floor plans. She stated that as presently drawn a zoning variance may be required for the front yard setback. Mr. Kreider commented that the report specifies that the lot is 148' wide, but that with Lot 15 included, the total site is 179'.

Owners Todd and Katrina Majeski and Bryan Sanneman of Sanneman Homes were present to present the proposed project.

Mr. Majeski commented that he and his wife were interested in maintaining the character of the historical district, so it was important to them to be compatible with the neighborhood. He added that the design was preliminary and they welcomed input from the Board. In response to Mr. Senhauser, Mr. Majeski stated that Mike Studor is the designer.

Mr. Senhauser, who was familiar with the lot, stated that it is a difficult site to develop with a wide and deep swale. He stated that the site would require substantial fill – in excess of 20 feet - if it is to be level with the street as shown in the plans and elevation.

Mr. Senhauser said that the rear elevation needs equal attention since its basement would be potentially ten feet or more out of grade at the rear. Bryan Sanneman responded that by his measurements, the walkout basement may be only three feet out of grade.

Mr. Senhauser stated that the massing of the house as an original manor with a later wing is typical of building patterns in the district. He added that usually the addition steps back as well, so the original manor home stood out as the major element. He said he thought the design would benefit by reducing the long, horizontal wing and giving the garage the appearance of a freestanding building, perhaps linked to the main house by a breezeway.

Mr. Kreider suggested that the applicants consider a detached or basement garage with a slopping driveway to screen vehicles and perhaps reducing the required fill. Mr. Senhauser added that the design should relate to the street rather than a more suburban orientation to the driveway and should respect the setbacks of adjoining houses.

Ms. Borys commented that the massing of the central portion of the house was appropriate to the neighborhood, but that the proposed design is at odds with the site. She said that there may be a better solution to relating to both the district and the site. Ms. Borys added that the strong central mass needs to be reflected in the spatial layout of the home as well.

Similarly, Mr. Senhauser said that the mass and detail of the front façade should be carried to the rear elevation. He suggested that the rear elevations and terraces of neighboring houses may be more modest, but still maintain the same integrity.

In response to Mr. Kreider, Mr. Majeski stated that their preference would be for a brick exterior in a color that would go with the neighborhood. Ms. Borys pointed out the importance of deciding upon roofing material early.

Mr. Sanneman asked about the normal rear yard set back required by the zoning code. Mr. Senhauser pointed out that the Board is most concerned with the context of the neighborhood, and that variances could be granted to accommodate a compatible design. Mr. Raser added that variances could also be granted for a detached garage. Mr. Kreider pointed out that such variances had been made for other district buildings to allow maximum yard space.

Mr. Majeski said that Mr. Sanneman had presented the preliminary design to the East Walnut Hills Assembly in their absence. Mr. Sanneman stated that the members of the committee did not have a lot to say; however, several neighbors were present to express concern about storm water drainage.

Mr. Senhauser suggested that when the applicants returned for a formal COA review, it would be helpful if they brought their designer.

#### **BOARD ACTION**

Because this was a preliminary design review, no Board action was required.

[Ms. Borys left the meeting.]

#### **REDRAFT OF CITY ZONING CODE**

The Board discussed the proposed rewrite of the zoning code Chapter 1435 of the Revised Zoning Code pertaining to Historic Conservation. The following modifications were suggested (*italics indicate suggested changes*):

**1435-01-A. *A Person of Standing.***

"A *person of standing*" means the applicant or any other person, organization or association, who had appeared before Historic Conservation Board personally, by representative or in writing.

**1435-01-C. Certificate of Appropriateness.**

A "certificate of appropriateness" means a certificate issued by the Historic Conservation Board indicating that a proposed environmental change, alteration, or demolition of a historic structure *that is located within a Historic Landmark or District* is in accordance with provisions of this chapter.

**1435-01-D. Demolition.**

"Demolition" means the substantial deterioration or complete or substantial removal or destruction of a historic structure *that is a Historic Landmark or located within a Historic District*.

**1435-01-H1. Historic Landmark**

"Historic Landmark" means *has been designated pursuant to this chapter* a historic site or structure.

**Summarized comments from the Board associated with the following sections appear in italics.**

**1435-01-H2. Historic Significance.**

***(b) Ineligibility.***

- (1) A cemetery, birthplace, grave of a historical figure, or a property owned by religious institutions or used for religious purposes, unless it is a religious property deriving \* significance from architectural or artistic distinction or historical importance.

\*The word primary was suggested to be deleted.

*There was concern regarding this section that this could be used as a means to exempt religious institutions. The Urban Conservator stated that this language is here because it closely mimics National Register Criteria and the Board is to apply National Register criteria in establishing districts.*

**1435-05. Proposals for Historic Landmarks and Districts.**

(Last sentence)

If a Historic Landmark is demolished or destroyed, then Council has the duty to promptly consider the repeal of the designation.

*A question was raised regarding when one would repeal a designation. Mr. Kreider suggested that one might want to repeal a designation to be free of the restrictions of the Landmark status.*

*The following change was considered:*

*If a Historic Landmark is demolished or destroyed through no fault of the owner, then Council, at the request of the owner, has the duty to promptly consider the repeal of the designation.*

*Discussion continued regarding the possibility of something owned by the public of particular significance to the community that is destroyed. Do you let the public "off the hook?" If the structure was there because of architectural significance, then one would lose the reason for which it was originally nominated. The Urban Conservator added that it seems the intent of this is to show how a district can be created and uncreated. The process of creating districts starts here. He posed the following questions to be considered: Why wouldn't the demolition or request to demolish start here? Why would it be by the owner to Council? Shouldn't the de-listing be at the request of the Historic Conservation Board and City Planning Commission? The Urban Conservator then commented if one indicates that the owner can petition Council for removal, then that reverses that process.*

*There was also discussion regarding removing the last sentence of the section.*

(No conclusion was reached regarding this section.)

#### **1435-07. Report, Public Hearing and Decision.**

- (b) ***Historic Conservation Board.*** After the public hearing, the Board has the duty to decide whether to recommend designation of the proposed historic structure, site or district and forward its decision, whether favorable or not, with conservation guidelines to the city planning commission.

*A suggestion was made that an initial step of a preliminary report is needed to allow for time to research to determine whether or not there are grounds for establishing a district.*

*The following change was proposed:*

- (b) ***Historic Conservation Board.*** *If the board finds cause to proceed, it may then schedule a public hearing. The Board has the duty to decide whether to recommend designation of the proposed historic structure, site or district and forward its decision, whether favorable or not, with conservation guidelines to the city planning commission.*

#### **1435-09. Notification of Designation.**

*. . . The Solicitor has the duty to cause the designation to be recorded by the Hamilton County Recorder.*

*Mr. Kreider pointed out that the Urban Conservator should obtain clarification from the Solicitor's Office regarding the second sentence (above) of this section and question where the designation is to be recorded, how it is to be recorded and what would be recorded.*

[Mr. Kreider left the meeting.]

**1435-31 Relationship to HS Overlay Districts.**

*There was a question regarding whether or not Overlay Districts were being eliminated. The Urban Conservator indicated that EQ Districts are being eliminated and the appeal process is being changed in that they are no longer being heard by the Hearing Officer, but go to Appeals. There was a concern that the district may be still considered an overlay.*

**ADJOURNMENT**

In that there was no longer a quorum, since Ms. Borys and Mr. Kreider had left, there was no longer need for the meeting to be adjourned.

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William L. Forwood  
Urban Conservator

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John C. Senhauser  
Chairman

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Date